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PTO/SB/21 (6-99)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/619,754
	Filing Date	July 14, 2003
	First Named Inventor	Bossenmaier, B.
	Group/Art Unit	1643
	Examiner Name	Holleran, Anne L.
Total Number of Pages in This Submission	Attorney Docket Number	39766-0114

**ENCLOSURES (check all that apply)**

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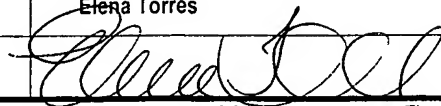
**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual name	HELLER EHRMAN LLP		GINGER R. DREGER (Reg. No. 33,055)	
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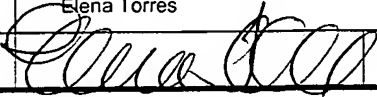
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PATENT

Attorney Docket No.: 39766-0114

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventor(s): Bossenmaier, B. et al.

Application No.: 10/619,754

Filed: July 14, 2003

Title: METHODS FOR IDENTIFYING TUMORS THAT  
ARE RESPONSIVE TO TREATMENT WITH  
ANTI-ERB2 ANTIBODIES

Art Unit: 1643

Examiner: Holleran, Anne L.

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. §1.97**

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Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609. The references were cited in a search report for the corresponding European patent application. A copy of the search report is enclosed.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
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- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 39766-0114).

Respectfully submitted,

HELLER EHRMAN LLP

Dated: April 5, 2007

By: 

GINGER R. DREGER  
Reg. No.: 33,055

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**INFORMATION DISCLOSURE  
STATEMENT**

PTO-1449

ATTY. DOCKET NO.

39766-0114

SERIAL NO.

10/619,754

APPLICANT: Bossenmaier, B. et al.

FILING DATE: 7/14/2003

GROUP: 1643

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	2002/0064805	5/30/2002	Akita et al.			
	5,811,098	9/22/1998	Plowman et al.			
	6,417,168	7/9/2002	Greene et al.			

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 01/00245 A2	04/01/2001	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 01/00245 A3	04/01/2001	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 01/09186 A2	08/02/2001	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 01/89566 A1	29/11/2001	PCT			<input type="checkbox"/>	<input type="checkbox"/>

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.